

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF GEORGIA  
BRUNSWICK DIVISION**

**THE CITY OF BRUNSWICK,  
GEORGIA,**

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**Plaintiff,**

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**-VS-**

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**CIVIL ACTION NO.: CV223- 92**

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**SOUTHEAST EDUCATIONAL  
SERVICES, INC.,**

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**Defendant.**

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**NOTICE OF REMOVAL OF CIVIL ACTION TO THE UNITED  
STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF GEORGIA**

**SOUTHEAST EDUCATIONAL SERVICES, INC.**, Defendant in the above-styled case, files this Notice of Removal to the United States District Court for the Southern District of Georgia pursuant to 28 U.S.C. §§ 1441 and 1446. In support of this Notice, **SOUTHEAST EDUCATIONAL SERVICES, INC.** shows the Court the following:

**-1-**

The City of Brunswick (City), filed *City of Brunswick, Georgia v. Southeast Educational Services, Inc.*, Case No. CE23-00918, Glynn County Superior Court on July 21, 2023.

**-2-**

The City asserted that Southeastern Educational Services, Inc. “has created a public nuisance” through its operation of The Well.

-3-

Southeastern Educational Services, Inc. (The Church), operates a religious church-owned day -time-only homeless resource center known as the The Well as an ecumenical ministry of the South Georgia Conference of The United Methodist Church.

-4-

The Church maintains that the City's declaration of The Well as a nuisance violates the rights of the Church protected by the First Amendment to the United States Constitution and the Religious Land Use and Institutionalized Persons Act, codified at 42 U.S.C. Sec. 2000cc.

-5-

City seeks an immediate cessation of the Church's activities, temporary, preliminary and permanent injunctions, and attorney fees and expenses.

-6-

Through this ministry, the Church implements Jesus' command to minister to the least of these as directed in **Matthew 25:35-36, 40** where Jesus detailed the obligations of His followers when He said "For I was an hungry, and ye gave me meat: I was thirsty, and ye gave me drink: I was a stranger, and ye took me in: Naked, and ye clothed me: I was sick, and ye visited me: I was in prison, and ye came unto me. . . And the King shall answer and say unto them, Verily I say unto you, Inasmuch as ye have done *it* unto one of the least of these my brethren, ye have done *it* unto me."

-7-

This Court has federal question jurisdiction of this matter pursuant to 28 U.S.C. § 1331.

-8-

SES has filed the Notice of Removal to the United States District Court for the Southern District of Georgia

[W]ithin 30 days after the receipt by the defendant, through service or otherwise, of a copy of the initial pleading setting forth the claim for relief upon which such action or proceeding is based, or within 30 days after the service of summons upon the defendant if such initial pleading has then been filed in court and is not required to be served on the defendant, whichever period is shorter.

28 U.S.C. § 1446 (b) (1).

-9-

Venue properly lies in the Brunswick Division of the United States District Court for the Southern District of Georgia, as SES seeks removal from the Glynn County Superior Court, Glynn County, Georgia. 28 U.S.C. § 90(c)(5).

-10-

SES has attached to and incorporated into this Notice, as Exhibit "A," true and correct copies of all process, pleadings, and orders served in this action. 28 U.S.C. §1446(a).

Respectfully submitted this 3<sup>rd</sup> day of August 2023.

/s/James A. Yancey, Jr.

JAMES A. YANCEY, JR.

Attorney for Southeast Educational Services, Inc.  
State Bar of Georgia No.: 779725

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C:\WPDOCS\CIVIL RIGHTS\M-Z\POLICE MISCONDUCT\M-Z\SOUTHEAST EDUCATIONAL SERVICES, INC.M-Z\REMOVAL\NOTICE OF REMOVAL OF CIVIL ACTION TO THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF GEORGIA

**CERTIFICATE OF SERVICE**

This is to certify that I have this day served a copy of the foregoing Notice of Removal to the United States District Court for the Southern District of upon counsel for the Plaintiff, Brian D. Corry, Esq, 1612 Newcastle Street, Suite 211, Brunswick, Georgia 31520-6781 by email at brian@msclawga.com.

This 3<sup>rd</sup> day of August 2023.

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/s/James A. Yancey, Jr.  
JAMES A. YANCEY, JR.